

REMARKS

This responds to the non-final Office Action dated 3 September 2009. Claims 1, 11, 21, 31, and 41-43 have been amended. Support for these amendments can be found variously throughout the specification, including, for example, in paragraphs [0018], [0060] – [0062], and [0079]. No new matter has been added by way of these amendments. Accordingly, claims 1-8, 10-18, 20-28, 30-38, and 40-43 are presently pending in the application, each of which Applicants believe is in condition for allowance. Applicants respectfully request reconsideration in light of the above amendments and the following remarks.

For purposes of simplicity and clarity, Applicants' remarks are primarily focused on the rejections applied to the independent claims (*i.e.*, claims 1, 11, 21, 31, and 41-43), with the understanding that the dependent claims are patentable for at least the same reasons that the independent claims are patentable. Applicants expressly reserve the right to argue the patentability of the dependent claims separately in any future proceedings.

Interview Summary

Applicants thank the Examiner for the courtesies extended in the telephone interview conducted on 3 November 2009 (the "Interview"). In the Interview, the Examiner and the Applicants' Representatives agreed upon amendments that successfully distinguish the claims from the prior art of record. Applicants have incorporated these amendments herein. Support for these amendments can be found variously throughout the specification, including, for example, in paragraphs [0018],

[0060] – [0062], and [0079]. *See, e.g.*, par. [0018] (“Once the locally-stored image file has been created, a protection module may protect the image from accidental deletion or modification. . . . [by creating] a process [] upon boot up that opens and thereby locks the locally-stored image file so that subsequently-created processes cannot access it.”).

Claim Rejections – 35 U.S.C. § 102

In the Action, the Examiner rejected claims 1-8, 11-18, 21-28, 31-38, and 41-43 under 35 U.S.C. § 102(e) for allegedly being taught by U.S. Patent No. 6,615,365 to Jenevein et al. (“Jenevein”). Applicants respectfully traverse these rejections for at least the reasons set forth below.

Pursuant to the agreement reached in the Interview, Applicants have amended independent claims 1, 11, 21, 31, and 41-43 to each recite, *inter alia*, protecting a locally-stored image file from accidental user deletion or modification subsequent to creating the locally-stored image file. As agreed upon in the Interview, these amendments successfully distinguish the claims of the instant application from Jenevein.

In addition, because claims 2-8, 12-18, 22-28, and 32-38 depend from independent claims 1, 11, 21, or 31, Applicants submit that these claims are allowable for at least the same reasons given above with respect to independent claims 1, 11, 21, and 31. Applicants also submit that claims 2-8, 12-18, 22-28, and 32-38 are further distinguished over the cited prior art by the additional elements recited therein, and particularly with respect to each claimed combination. Applicants therefore respectfully request withdrawal of these rejections and allowance of the claims.

Claim Rejections – 35 U.S.C. § 103

In the Action, the Examiner rejected claims 10, 20, 30, and 40 under 35 U.S.C. § 103(a) for allegedly being unpatentable over U.S. Patent No. 6,615,365 to Jenevein et al. (“Jenevein”) in view of GB Patent No. GB2376093 to Guy Leech (“Leech”). Because claims 10, 20, 30, and 40 depend from independent claims 1, 11, 21, or 31, Applicants submit that these claims are allowable for at least the same reasons given above with respect to independent claims 1, 11, 21, and 31. Applicants also submit that claims 10, 20, 30, and 40 are further distinguished over the cited prior art by the additional elements recited therein, and particularly with respect to each claimed combination. Applicants therefore respectfully request withdrawal of these rejections and allowance of the claims.


Conclusion

For at least the foregoing reasons, Applicants believe that each of the presently pending claims in this application is in immediate condition for allowance. Accordingly, Applicants respectfully request a favorable action on the merits. If the Examiner has any further comments or suggestions, Applicants invite the Examiner to telephone the undersigned attorney to expedite the handling of this matter.

Applicants expressly disclaim all arguments, representations, and/or amendments presented or contained in any other patent or patent application, including any patents or patent applications claimed for priority purposes by the present application or any patents or patent applications that claim priority to this patent application. Moreover, all arguments, representations, and/or amendments presented or contained in the present patent application are only applicable to the present patent application and should not be considered when evaluating any other patent or patent application.

Respectfully submitted,

Dated: 3 November 2009



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